

901 H&L BR X, 52p 4. th
THE
EXAMINATION
OF THE
SCHEME of Church-Power,

Laid down in the
Codex Juris Ecclesiastici, &c.

Set in its proper Light,
And the Discovery of dangerous De-
signs of the CLERGY to all the
Ranks of their Fellow-Subjects and
Countrymen;

Pretended to be made by the EXAMINER,
in the Passages produced from it,

Treated as it deserves.

L O N D O N,

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P R E F A C E.

TH E too fashionable and general Contempt of the Clergy, which cannot well but fall under every Man's Observation, which is founded in great measure, partly on the Meanness of the worldly Circumstances of a great many of them, and partly on the dependent State of others, on such who use it as a Method of making themselves look greater, to make their Chaplains little; is it self alone an ocular and auricular Refutation of this Examiner's Treatise, as to its main Drift and Design, and a Conviction of its Vanity. But there is a Set of Men, whose Implacability against them, Contempt alone does not satisfy; That, they have wrought up to its just Height already, but Contempt alone will not do to answer their Scheme; they must be hated too, as well as contemned. And if any Man can see any other end, than bringing this about in this Examination, he must have better Eyes than I have; than to raise, I mean, a Spirit of popular Odium as well against the Persons as Order itself of the Clergy; by representing them as an insidiously growing and grasping Power; a formidable Body, that are Enemies to their Country, projecting Schemes to tyrannize over it; and actually carrying on at

present deep Designs against the Supremacy of their King, that they have all once, most of them several times sworn to; and impugning of which by their own Canons is Excommunication; against the Rights and Privileges of the Lords and Commons in Parliament; as sily wresting the Interpretation of the Law out of the Judges hands; to lord it over the Gentry; and reduce the common Body of their Flocks to the most wretched State of Slavery. All this, our penetrating Examiner pretends to have found Proof, that the Clergy are not only aiming at, but a doing actually, by Instances produced, from what I never saw, nor probably may see, the Bishop of London's Codex called. To inflame the Passions and heighten the Prejudices of the Disaffected (that are mad enough without his Instigation) and to propagate a national Malevolence to them, he treats as of high and dangerous Importance, Matters of little moment, and raises a petty Triumph to himself over the Clergy, upon each little invidious Subject.

But on which side the Plot lies, every unprejudiced Man must easily see, that it is those who are committing it, that are crying Murder: That it is not a Plot of the Clergy against the Laity, but a Plot of a wild and furious Gang of Infidels against the Christian Ministry; as they are the Christian Ministry; either of which Characters we find enough to expose Men to their ill Offices. As Christians they condemn them, on which account each Layman whom they suspect

of

*of sincerely believing his Creed and the Gospel; is subject to the Laſh of their Ridicule, and ſhares with the Clergy in being deſpiſed; but thoſe in whom both theſe Characters meet, are the ſtanding Subjects of their Aversion, as well as Contempt; tho' they muſt know that the Head bears its part in whatever Ill affects the Members below; and that he that deſpiſes you, deſpiſes me, holds good no leſs with regard to the Head in Heaven, who has his direct and immediate Share alſo in their Contempt, and as to whoſe Kingdom, ſo far as it is either of this World or t'other, he has exceeding bad Subjects in them; than with regard to the Head below, whom, he that hates, and ill treats his eccleſiaſtical Members, does not ſhow either much Love or Reſpect to, and whoſe Kingdom would not be much longer of this World with them, than his, whoſe Vicegerent he is in the Church; and the reſt of his civil royal Character would ſoon follow the Fate of his Prerogative, if the Craftſmen who are pushing at the Deſtruction of his eccleſiaſtical Province with its Miniſtry, equally with that of his civil, ſhould gain their ends. Unſhackled from Monarchy then, as well as Epiſcopacy and all Religion, the glorious Cauſe of Liberty would flourish in Perfection, in the Nation; happy without Kings, and virtuous without Religion or Priests; whom this Champion, concealing his Name, as with Grape pulled over his Face, attacks a-la-mode de Mac-tay, as he did Dr. Lancaſter, with villainous
and*

and ruffian Names, in ekpress Letter or Import ;
as bad as calling them downright Dogs, Villains,
Traytors, false to God and Man, and equally
hated by both. And like another sort of Don
Quixot, (whose romantick Pranks have diverted
me when young,) who fell upon a Flock of Sheep
and fancied them to be Giants and Monsters ;
so our Champion extravagantly transported with
visionary Rage, falls foul upon the armless Tribe ;
sees them in all monstrous Forms ; Popes with
triple Crowns, trampling on the Necks of
Kings, and Emperors holding their Stirrups ;
Cardinals with Hats and Gowns dyed in Blood ;
Hildebrands with flaming Eyes and breathing
Sulphur ; Inquisitors in Procession, dragging
Innocents to the Flames ; Ravilliacs and Cle-
ments with butcherly Knives, or burning Hus's,
Jeroms, Wickliffites and Lollards ; Bonners
and Gardiners, all armed with black Bills or
Protestant Bridles, and Instruments of Torture ;
Cat-of-nine-tail Disciplines strung with knotted
Wire ; he hears the Pope's Bulls bellowing al-
ready, a prodigious Train of English Canons
(dreadful Artillery) roaring from the Codex ;
battering St. James's and Westminster-Hall ;
and what is the saddest Spectacle of all, enough
to draw Tears from all infidel Eyes, and make
unbelieving Hearts ake ; sees T—l and C—ins,
Ch—b and G—r—n, and many a brave mo-
ral and immoral infidel Hero more, in danger
of being trodden under foot by these so despised, yet
so strong and formidable black Knights of the
thread-

bread-bare Cassock. And however vain and ridiculous his pretended Fears and Apprehensions of Dangers to the Nation from the too great Power of the Clergy, are as to any other Members of it; yet I hope they are, and wish they were, not only real, but greater than he represents them, to those, and such kind of Laity as last pointed to; to wit, that the Body of the Clergy of England with a King George next under Christ at their Head, the Faith's and their Defender, true to the Interests of his Kingdom, and to those of so much of Christ's Kingdom in this World as subject to him, is included in his, are and will be formidable to Infidels and Republicans.

As the Examiner shows it fashionable to bear testimony against Principles making their appearance in the World, that admitted, will establish a Monster in Government that never did or can exist; a monstrous Establishment of a most monstrous Monster indeed, that never did or can exist; it may not unbecome an old Parson, as true to every Interest of his Country, to his Majesty and his Administration, as he can pretend to be for his Life, wishing as well to all the just Rights of the Gentlemen of England as to those of the Clergy, to bear his Testimony against this Author, and his too manifestly appearing Principles, which will not indeed establish any thing but Confusion, if that can be said to be establish'd, (ἀνατάραξις) but will subvert an English

lish long establish'd Monarchy and Constitution, both Civil and Religious.

But prepare, and tremble, all you true English Hearts who love your King and your Country, your Laws and Liberties, and the christian Establishment of your Religion, to hear the fearful Story of your Parson's Plot against all these, found out in the Scheme of Church-Power, publickly hid in the Bishop of London's Codex.

Only that the Reader may not set out without due Notice, what manner of Spirit the Examiner is of, let me present him first with a taste of those Flowers of Candour, and Overflowings of his good Will to the Bishop and Clergy, that embellish his Treatise, which let him judge whether such contumelious Expressions and Insinuations speak not something prepense, beyond bare Prejudice, and what good End they are publish'd to serve; such as (take them as they come) these:

P. 44. His crowing to himself and insulting them as a Prophet, that the high Dignity of Lord Chancellor they must never more hope to see fall to the share of any Ecclesiastick again.

P. 62. Wittily flouting them, that their Attendance in Convocation has been so happily dispensed with by his Majesty's Indulgence to them in this respect.

P. 84. The Enlargement of Church-Power with a rigorous Exercise of ecclesiastical Discipline,

cipline, seem to be the principal Ingredients, and leading Views of his Codex.

P. 77. His representing his Lordship's Zeal as making the reverend Judges no better than the Church's Hangmen, and mere Executioners.

P. 86. The Bishop betrays a thorough Impatience rankling at his Heart.

P. 88. He supposes the Bishop wishes to see the Church intitled to the Cognizance of the Crimes the Law has made Capital, from Petty Larceny to High Treason.

P. 118. The Judgments of *Westminster-Hall* frequently arraign'd, and even the Wisdom and Propriety of parliamentary Provisions in ecclesiastical Affairs are sometimes called in question, by the general Turn of the Codex.

P. 163. Not the only Instance in which his Lordship discovers an Inclination to be taxing the Gentlemen of *England* by virtue of the ecclesiastical Authority.

The words Religion and the Church made use of (*viz.* by Principles and Claims now making their appearance) to establish a Monopoly of Power in the Clergy, and the Abuse of them the same in kind, tho' not in degree—as in the enumerated Instances of the Ambition, Avarice, and unrelenting Cruelty of the Popish Clergy.

P. 120. I do not see that spiritual Legislature in contradistinction to the temporal—can

(*)

boast of any better Original than the Usurpations of the Church of *Rome* in the very corruptest Ages of the Church,

His Lordship—no Regard for Lawyers,
Spiritual Sword drawn against the Courts of *Westminster*.

Corrupt and ambitious Clergy——ours.
——His Lordship's spiritual Vicegerency. ——
Gentlemen of synodical Learning. —— Pedantick Severity. —— Pedantick Church-Discipline. —— Parsons going snacks in the Wgaes of Prostitutes. —— Set of spiritual Pedagogues, p. 110. —— Synodical By-Laws, p. 147, &c.

Besides the Load that he indirectly translates upon the Clergy by Stories raked together of the Pope and his Clergy——whose monstrous Tyranny founded in Craft and supported by Blood, Rapine, Breach of Faith, and every other Engine of Fraud and Oppression. —— Sacerdotal Bondage. —— long and bloody Bills, —— butcherly Knives of impeaching Prelates, —— raging and roaring against Christian Blood, *tanquam leones rugientes*, &c. Which are all brought out to be thrown upon the Backs of the present Clergy, who, mutato nomine, changing but the Names and Persons, are pointed to——with——that's the very Order, and such as those the very Men that I have now found out to be at work to act these bellish Tragedies over again amongst you.

E R R A T A.

P. 13. l. 18. P. 13. l. 1. P. 14. l. 3. add in the Margin
p. 6. P. 32. l. 1. r. holds. From. l. 5. r. *them*. he. P. 33.
l. 19. add, viz. l. 25. r. *but* is now. P. 39. l. 26. r. exclu-
sively.



*The EXAMINATION of the SCHEME of
Church-Power, laid down in the
Codex Juris Ecclesiastici, &c. set
in its proper Light.*

TH E Author of the *Examination of the Scheme of Church-Power*, opens his Scene as a Divine, with the Use and Doctrine that an eminent Prelate of our Church put our Saviour's words to *Pilate* to, when he said his *Kingdom was not of this World*, and preached a famous Sermon upon : His shewing himself the Disciple of such a Teacher, must recommend him, he knew, to the favourable opinion of a great many worthy Persons ; and dispose them to look upon him as some sort of Churchman, or Christian at least ; and it is possible he may be one or t'other. But it was proper for him, to prevent suspicions, to give us notice of it at his first setting out, because his whole Design speaks him not to be the one, and several Expressions which he lets fly, not too much of the other. Our Incog. having thrown out
B this

this hint of what he would have us take him to be ;

His first step from hence, is to fall foul upon the Popish Clergy, not for teaching or practising Idolatries, Superstitions, Immoralities, &c. but for *impudently assuming to themselves the sole Interpretation of the Laws* of Christ ; fixing his whole charge upon their Claim and Exercise of Church-Power, not the Abuse of it. *They did set up, says he, and for many ages maintain over the greatest part of the Christian World, a Kingdom of their own, the most impious and oppressive Tyranny that ever exercised the patience of God and Man ; an Empire founded in Craft, and supported by Blood, Rapine, Breach of Faith, and every other Engine of Fraud.* (p. 2.) *Why did set up, and for many ages maintain ?* Do they not do it still ? Do not all Popish Kingdoms not only acquiesce, but glory in this impious and oppressive Tyranny, and fight for it ? nay, do not all the Protestant World live under this so impious and oppressive Tyranny of the Clergy's interpreting Scripture, and having and exercising distinct Powers and Offices, admitted, acknowledged, and established by the civil Legislatures, without being thought *impudent or assuming* ; and is not the Author himself hard struggling, to see if he can make the *English* Clergy an exception to the rest of the Christian World, in contradiction to the established Sense of the Nation and its Laws ?

He next mentions the Principles and Claims on which the *Roman* Hierarchy was built, (p. 3.) which he writes this Book *to bear his testimony against*, as making their appearance in the *Codex*, and to examine some *leading Principles* of the Bishop of *London's Codex*, &c. and takes it much amiss that the Bishop of *Lichfield* and *Coventry* recommended it to his Clergy. (p. 4.)

By his talking of Popish Claims of Church-Power, he would put us in hope, that he had a reserve of some other Protestant Claims of Power in store for the Clergy of the Church of *England*, and those of other Protestant Churches; but by Popish Power we shall find, he means all Church-Power whatever, absolutely, as being Popish: And e'er he well sets out, he destroys the very Subject he writes upon; and instead of examining a Scheme of Church-Power, and ecclesiastical Laws, proves that there really are none, nor ought to be any such Power or Laws.

When the Clergy found themselves in cir- Ex. p. 5.
cumstances to set up for an Independency on
the State, they coined a Distinction un-
heard of, between the spiritual and tempo-
ral Jurisdictions, as exercised by different
Persons, and flowing from different Princi-
ples; one exercised by the Clergy alone, by
virtue of the divine, the other by the Laity,
by virtue of human Laws.

That spiritual and temporal Jurisdictions are modern Terms, unheard of in the earliest Ages of the Church ; that they were first coin'd by the Clergy, and by the Clergy setting up for Independency, ought to be proved, and not only said. On what Right did the Church's Authority depend, in the Apostolick, and After-ages, 'till it was incorporated, and took into the State ? when all civil States, instead of supplying it with Powers and Jurisdiction to support it self, employed all their Powers and Jurisdictions to suppress it : nor can it be supposed to be took into the State by Princes now become Christian, upon those disadvantageous terms, that it was to give up and lose all those Rights and Powers by which it before had subsisted independently on the State ; but to secure and make more effectual the exercise of them under the Wing and Patronage of the civil Governour, that, by original Grant before, was the regular Guardian and Patron of Religion from God the Creator, and now become the supreme Head and Governour of that of God the Redeemer in particular ; not by new and reconstitution, which was needless, but by continuation, and as it fell to him of course : For as our Saviour came not into the World to alter or new-model civil Constitutions, or to deprive Kings his Vicegerents, of any of the Rights or Privileges that he had before vested them withal, of which, both he and his Apostles were re-

remarkably tender, and eminent Patterns of Subjection to the civil Supremacy, tho' divinely commission'd at the same time, and having Powers not only independent on it, and of different Original, but of Virtue more excellent, and superior to it. So by making no new Constitution, he thereby left his Church and Religion in the same state of Subordination to their respective Kings and Civil Supremes under him, that Religion in general had always been; that *they* presiding over it, should conduct its Motions and Offices according to the Apostolick Platforms given, by Officers commission'd from him in their several Stations, as he, or his Apostles had appointed; making provision for them suitable to the Quality of those Characters he had impress'd upon them, strengthening and giving effect to the Execution of those Powers, by which he had distinguished them from other Members of his Church, to make them attain those great Ends he appointed them for; and thro' them to work the Reformation and Edification of those particular Branches of his Catholick Body, as fell to their lots to be Supremes over.

If the Powers and Rights of Jurisdiction in the Church, came not from civil Governments, I cannot see how we can reasonably conceive them to be alienated from their Proprietors, or conveyed from them to the Civil Supreme, unless those who had the
Right

Right of Conveyance and Derivation of them, made the chief Magistrate a Bishop; otherwise I do not see how any change of Principle or Profession in himself, should make him master of a Power and Right lodged in others, which arose not from himself: If there was such Power and Right of Jurisdiction, when it was exercised in his Community, without and against his consent, will it alter the Case if we suppose him to change his mind, and let that Power and Jurisdiction be exercised by his permission? Or suppose once again, that from permitting it he comes to approve and acknowledge it, professes and makes himself a Member of the Body it is exercised in, and upon; or, in other words, turns Christian, declares himself its Patron and Protector, must his Acknowledgment of it, and Protection, destroy it? Must it be drown'd and absorpt in his Civil Authority, because retaining that, and vested with it, he becomes a Christian? This is a strange Consequence of Kings turning Christians, were it just that their Conversions should be a Subversion of Powers the Church before had.

Ib. p. 5.

If---the Clergy have a divine Right to any Jurisdiction at all, while they keep within the compass of their divine Commission, they must be independent of all human Authority; this I think is self-evident: on which account, I find it extremely difficult to reconcile the Powers his Lordship ascribes to the Bishops of our

our Church as grounded on the Word of God, with the regal Supremacy. If they had independent Powers, before they came into the State, that were not derived from the Civil Power, they have them still, unless the State has took them away, and given them a new Set derived from Itself, of the same Names; and *within the compass of their divine Commission*, therefore they are independent on the State, as to the Being of the Powers themselves, but not as to the local Exercise of them: for in this case, as in a great many others, Powers independent on the supreme Magistrate, and of Origin different, yet have their Right of Exercise derived from him, and are subject, as to that, to his Jurisdiction. Thus Gifts of God or Nature, all liberal Arts and Knowledge, are Powers flowing from different Principles, and independent on the civil Supreme, yet have their Right of Exercise derived from him; and the civil Magistrate himself in several Instances, as well as in Religion, is subject to those very Powers, which he presides over, and which act under him. Thus the King is subject to Physicians, Lawyers, &c. nay to those very Powers that are derived from himself, and Persons whose very Right of acting is from him. Civil Governours being Christian, and incorporating, and taking in the Christian System and Religion into their Constitution, and establishing it by their Laws, become thereby subject to the
Christian

Christian Laws, Rites, Ordinances, and its proper Ministry by Christ's Appointment, officiating, and vested with Powers independent on them, and not derived from them; but yet they lose hereby no Right of Supremacy by all this Subjection, over which they are still with regard to its Exercise Heads; whilst they are Members, and whilst Subjects, Sovereigns; instead of lessening their Supremacy, they increase it, by the Accession of new Matter to exercise it upon. So that whereas it was before single only, and run all, as in one Channel, and was exercised only over Powers of natural Original, or that were derived from itself, it now descends from itself, distinguish'd into two Branches or Streams; and instead of one, becomes two Supremacies; an old one, no way diminished, and a new one, more considerable and important added. And whereas before, he presided only over his own Officers, acting by Powers arising from himself, he now presides over the Exercise of divine Powers, and Persons commission'd by Christ himself: the divine Rights of the Clergy make the King's Supremacy not only more glorious and illustrious, but are the very Life and Spring of Assurance to the Body of Christians, of the Sacraments, and whatever is officiated by them, being spirited with Powers and Virtues that make them efficacious to Salvation, and Means of divine Blessings.

Blessings. And those who would derive the ministerial Powers from civil Appointment, cut the very Sinews of the Christian Ordinances, deaden the whole Christian Worship, and may as well make the whole Christian Institution a Creature of State, as its Officers and their Administrators so.

The Bishop says, it seems, that *the Office of Ex. p. 5.*
Consecration warrants every Bishop to claim ^{6, &c.}
by the Word of God, Authority for the due
Administration of Government and Disci-
pline in the Church of England— and the
Exercise of spiritual Discipline in his Dio-
cese.

In the Office of Consecration are these Expressions; a Prayer that *Bishops may duly administer the godly Discipline of the Church*, and is quoted, 1 Tim. iii. that *a Bishop must be one that rules well his own House, (for if a man knows not how to rule his own house, how shall he take care of the Church of God?)* which *taking care*, answers to ruling his own House, so must mean ruling also in the Church. In another Prayer, that the Bishop *may serve thee (God) in his Office, by---governing of thy Church:--The holy Scripture and ancient Canons command, that we should not be hasty in laying on hands, and admitting any Person to Government in the Church of Christ. Are you ready with all faithful Diligence to banish and drive away all erroneous and strange Doctrine? Such as be un-*

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quiet,

quiet, disobedient and criminous within your Diocese, correct and punish according to such Authority as you have by God's Word. — That he may use the Authority given him, not to Destruction, but Salvation. — So minister Discipline, that you forget not Mercy.

In the Preface to the Forms of Ordination, 'tis said, *'Tis evident to all men reading diligently the holy Scripture and ancient Authors, that from the Apostles time there have been these Orders of Ministers in Christ's Church ; Bishops, Priests, and Deacons.*

To which we might add, the Clause in the Acts of Uniformity, full to the same purpose.

Queen *Elizabeth's* Declaration, whereby she formally disclaims the Right of Exercise of any sacerdotal Powers included in her Supremacy, and much more the derivation of those Powers from it ; which Papists, &c. charged upon it.

The Acknowledgment of episcopal and sacerdotal Authority by all our Kings, the Claim of the derivation of it from themselves, as its Original, made by none of them, tho' the Author, I believe, is of the number of those who think most of them grasping enough at Power, and too fond of Increase of Prerogative, to have dropt so valuable a Right, had there been any pretence for it. And 'tis strange to consider, that those Men that are now for beating down all Prerogative, and Rights of regal Supremacy, are yet for forcing this
upon

upon the Crown, that it has always disown'd, and never pretended to. The constant and uniform Opinion of all our eminent Clergy, and I may add Laity too; not only those of the established Church, but of all the Bodies of Dissenters, who, tho' not Episcopal, acknowledge Powers in their Ministers in higher degree than those claimed by our Bishops, who are all in the Plot against their own Rights and Liberties, if the Christian Ministry's having Powers independent, as to Original, on the State, is so. But as the case stands, I think there is no farther occasion to multiply Authorities to prove the Kingdom's Sense of Bishops having Powers and Rights independent on the State (which is superabundantly done already by a learned Hand) and to prove their Sense of its being grounded on the Word of God; than to leave the issue upon the foot the Examiner himself has put it, viz. the Form of Consecration in the fore cited Passages. For after these so full Declarations by the publick Voice of the Community, established by the Legislature, some of them solemnly address to God in Prayer, *That Bishops have an Authority by the Word of God, and that their having so, is evident to all men, reading diligently the holy Scriptures and ancient Authors:* Our Examiner, that by his meddling with the Rights of the Clergy, ought at least to be a regular Member of the established Church, (otherwise 'tis highly

highly impertinent in him to concern himself in adjusting the Rights of the Members of a foreign Society, as a Stickler any way) our Examiner, I say, thinks it enough to put this Article upon the Strength of his own *Nay*, being as good as the Kingdom's *Yes*; and to put the flat lye upon the Legislature.

Bishops have a Power by the Word of God, independent on the State, says the Law: They have not, says our Examiner.

It is evident to all men reading diligently the holy Scripture, and ancient Authors, that there have been from the Apostles time Bishops, vested with such Powers as in the Form of Consecration are ascribed to them: It is false, says our Examiner; for I my self (whatever you may think, and will hardly believe it) have looked over my Bible with some (tho' I fear very little) *Attention*, and do not find any of the Powers his Lordship speaks of, vested in the episcopal Order, exclusive of the Church, or Body of Believers; or any but such episcopal Power, that is not episcopal. And I hope the Examiner thinks, that both the Bishops and the Establishers of the Forms of Ordination, are not behind-hand with him there, but have looked over their Bibles too as well as he, and with as much attention.

It is also *evident*, says the Law, *to all Men reading ancient Authors*, that Bishops have such Power: False again, says our Examiner;
for

for tho' I cannot say, indeed, that I have read those ancient Authors, *yet I have consulted likewise some learned men, who have made these matters their study.* (Father Paul's Treatise of Beneficiary Matters, folio Edition. Doctrine, &c. of the Primitive Church.) *And they tell me, that none of the Bishops of the three first Centuries after Christ, claimed any separate exclusive Powers for the exercise of Church-Discipline, but left those matters to the Provincial and Diocesan Consistories, which in the purer Ages of the Church, were composed of Bishops, Clergy, and Laity.*

But why will not he believe, if not the Bishop of *London*, yet some other, or all the Bishops, and the Parliament of *England*, as well as this Father *Paul*, or the *Folio Edition of Beneficiary Matters*, or *Doctrine of the Primitive Church*, Edit. 1712? For since it is matter of Faith with him from secondary testimony, whether Bishops had Authority in the first Centuries recorded by ancient Authors, or not, in my mind it would have looked as well in him to have believed his Country and learned Countrymen at home, telling him they had; as Father *Paul*, and I know not who, telling him they had not. But what is it that these People do tell him? not that the Christian Church had no Powers independent on the State, having then no civil Powers to depend upon, or to derive from;

from ; but that those Powers were not lodged in the Bishops. And how does that appear? *why, the Bishops left those Matters to the Provincial and Diocesan Consistories, composed of Bishops, Clergy, and Laity.* Their leaving the *Exercise of Discipline* to others, implies they had it; and so far as the Consistories were composed of themselves, they did not leave it neither.

Thus then stands the Argument between the Bishop and the Examiner; *whether the Office of Consecration warrants a Bishop to claim Authority by the Word of God to exercise spiritual Discipline, &c.* The Office, &c. says in express words, over and over, that they have such Power; the Examiner stands to it for all that, that they have not; *that he cannot conceive how it appears from the Form of Consecration, that any Powers are vested in our Bishops by the Word of God;* where he slips off from the Question, which is not whether the Office warrants the thing, but whether it warrants the Bishops Claim to Authority from God's Word. For tho' a divine Commission cannot be grounded on Acts of Parliament, yet a Claim to it may be so grounded, and a Right to its Exercise as such. The Act of Parliament does not warrant that Bishops have divine Commission and Authority from the Word of God, but it warrants us that the Scripture does warrant that; and after such a manner, that few besides the

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Examiner would think it proper publickly to expose private Reasons, such as he gives, as a balance to; such as, *I have looked and cannot find it in my Bible*; so tho' all the world tells me 'tis there, I will not believe it. I have *not looked over the ancient Authors*, but Father *Paul* I fancy has, who tells me so and so, and I will believe him and no body else, that says the contrary; let them be Bishops, Parliaments, or Churches.

A legal *Recognition* of a divine Right and Authority in Bishops is not, 'tis certain, an Original, nor Foundation of such divine Right, because it is a *Recognition*; nor can a divine Commission be derived from human Authority. But a *divine Right* so warranted to be from Scripture, is more than a *Supposal* that such Right is from Scripture: nor to the Recognizers themselves only personally, is it a putting that Right from Scripture beyond dispute, by their actual Assent; but is the promulged and actual Assent also of the whole Community given to the same Truth, included in that of the legislative Recognizers; and carries every Member of the Community's Assent to it, as much as any Law that is made: as much at least as the legal Establishment, Acts of Uniformity, or any particular Doctrine or Practice of the established Church; or to any Truth or Proposition whatever, establish'd by Law, which obliges, at least to a practical Conformity, and makes, if not Non-assent inwardly, yet Non-

Non-submission and Contradiction by Overt-Acts, real or verbal, legal Transgression. And the Examiner's own Warranty will be found to be included in that of the Legislature.

Being a Christian is to believe and profess, that the Christian Religion is from God, and the Scriptures, that declare it to be so; and acknowledging and believing this must further imply a Belief, that something is done or said, some Acts performed by somebody or other, in a Christian Society, or Church, that is by divine Authority and Commission. For instance, Christ bids his Disciples *baptize*, therefore he who baptizes does it by divine Authority and Commission; he commands to *do this in remembrance of him*, he that does it, does it by divine Commission. The Scripture directs some to rule, others to obey in the Church; therefore those who rule, do it by divine Authority and Commission. Now as all Society is founded on Digestion into Officers and Magistrates; having Powers and a Right of Jurisdiction, either originally legislative, or derived from the Legislator: so the Christian Society must have some Officers or others divinely commission'd, to do a great many things positively and particularly commanded, that it is impossible that all, and every body should have right to do. Now this divine Authority and Jurisdiction, that all Christians by being such, must acknowledge to be lodged somewhere, the Church of *England* has appropriated to Bishops, and those deriving it
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from them; the Parliament and every Member of the Kingdom, whose Assents are representatively included in theirs, have by several Acts made the Acknowledgment of its being so, the Law of the Kingdom, declared it to be evidently so from Scripture and ancient History; the Presbyterians, in their Presbyters, &c. and all Christians somewhere. And tho' it were in the chief Magistrate, or civil Legislature, yet still it would be there, as much a spiritual Authority, and Right of Jurisdiction, as much independent on civil Character, as if it were lodged in others: only our Author, who hates all religious Independency, and must be a Christian of a particular Stamp, will have it to be no where.

I find it extremely difficult, says our Examiner, to reconcile the Powers the Bishop ascribes to the Bishops of (our) Church, as grounded on the Word of God, with the regal Supremacy. E.v. p. 5.

Not so very difficult, if Men will rightly understand it. I do not, I must own, approve the Bishop's Notion and Expression of a double Original of Episcopal Powers, (if he means Powers purely Sacerdotal and Evangelick) *from the Word of God, and from the Laws of the Land*: for there is but one Original of Episcopal and Ministerial Authority, from Christ alone; Bishops are originally commission'd from Christ by his A-

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postles,

postles, for the Work of the Church ; their Authority they again derive from themselves into inferiour Channels. These Commissions by the Propagators of the Gospel, together with the Gospel itself, from which they are inseparable and essential to it, are received by the converted Nations and Powers of the World ; are examin'd, approved, acknowledged ; and civil Governours, convinced of the Derivation of their Authority from Christ, empower them to execute in their several Communities, their divine Commissions, establish Maintenances for their more convenient Livelyhoods, found Schools and Nurseries of Learning to train up Men to be proper Successors to derive their Authority upon, adorn their Offices with civil Honours, and deservedly ennoble an Office of so much Christian Dignity and Benefit as the Episcopal, attended beside as its Accessories, with high Characters of Virtue and Learning : And where is the harm of all this to civil Supremacy ? What the civil Power adds, derived from himself, and that is his Creature, is subject to the civil Supremacy whence it came, both as to Right of Exercise, and Existence also ; what came from Christ, is likewise subject to him, but as to its exercise only. The Bishop has a divine Authority and a Right to exercise it : The civil Supreme, on his side, has no Right or Power either to destroy that Power or Right of exercising it ; but he has
 Right

Right and Power to establish, permit, or prohibit that Exercise of it, within his Jurisdiction, at the peril of the Exerciser. If the Supreme is a Christian, and believes (as by being so he must) that that Religion came from God; and that it came from him officer'd and with a proper Ministry, instituted by those who immediately from him, formed the Plan of it, both as to Doctrine and Practice, to transact the great Affairs, administer the Sacraments and Ordinances of it in his Church; he himself becomes the Subject of its Laws, and of the Administration of its Institutes, by its divinely commission'd Officers, for his own sake, and to entitle himself to the Participation of the promised Benefits annexed to them, coming thro' the appointed hands. But to balance this seeming piece of Humiliation, he finds himself enriched with a new Branch of Supremacy, and himself at the head of these divinely-commission'd Officers, acting under him and exercising their divine Authority by virtue of his Authority, and in great measure by his Direction; left to call upon him frequently from his civil Sphere to lend them assistance to give effect to the Execution of those Offices, which may tend to the Advancement of Christ's Kingdom, that is closely wrapt together with his own.

'Tis a Mistake in the Examiner, to say, P. 13. that *Authority which neither can or ought to be exercised, is but the Name without the*
D 2 *Thing.*

Thing. Power, and the Right to exercise it, does not depend upon the Presence or Absence of Matter to exercise it upon; a Lawyer or Physician have both the Power and Right, tho' they have neither Client or Patient to exercise upon, or are forbid; and my self, I hope, have both ministerial Power, and Right to exercise it, tho' many a long year I wanted Matter to exercise it upon, unless I would, like our Author, break into other folks Diocese, and play the Adjuster of their Rights and Privileges amongst the Lawyers in the *Temple*; as he, for want of proper business, does amongst us (Affecters of Tyranny) Parsons; (p. 1. *to spend some of my leisure hours*, in scattering Firebrands and throwing Serpents, and squirting dirt at Bishops from a dark hole unseen). Tho' the Legislature forbid the exercise of the Christian Religion, its Ministers would still have the same Powers and Right to exercise them, as now it is established by Law; and tho' they ought not in such case to exercise their Right as Members of the civil Community, without being Offenders against the Law, and regularly liable to the Penalties that might be inflicted; yet as Subjects and Officers commissioned to preach the Gospel, they had both a Right still, and it was their Duty, to exercise that Right in that situation of Affairs.

Thus our Author *has born his testimony against the appearance of one of those Principles*

ciples and Claims that are to establish a sacerdotal Empire, the most impious and oppressive Tyranny that ever exercised the patience of God and Man. And this so threatening Claim, is Bishops pretending to be Christ's Ministers, and not Tools of the People, or Creatures of the State. And this Testimony of his, is born not only against his own, but against all Christian Countries, present and past; and this Claim is so far from being new and extraordinary, that it has been the Claim of all Christian Ministers, or rather given to them by all Christian Churches without Claim. Yet this single Claim is the fundamental Article and Evidence that the Author raises all his Outcry against the Clergy upon, (p. 23.) I believe I may venture to affirm, that the divine Right appropriated to Ecclesiasticks, is the cursed Root of Bitterness, from whence the Papal Supremacy sprung. And if a Principle of a Right of Jurisdiction, underrived from the Magistrate, doth not always lead to the Popery of the Church of Rome, it leads to a State equally mischievous and absurd; I mean, a Popery at our own doors. It is in this Claim of Bishops acting by authority from Christ, that Popery, Inquisition, and Slavery, Treason, and spiritual Tyranny, and the grand Conspiracy that he has found out in the Codex, that the Parsons are carrying on, to wrest the Sceptre from the King's hand, and for the Convocation (who are in a fine way

way towards it) to turn the House of Commons out of doors; the Bishops to dispel and turn out of their House the Temporal Lords; *Doctors-Commons* to swallow up *Westminster-Hall*; Proctors and Commissioners to eat up Judges, Serjeants, and Counsellors; and Apparitors to devour Attorneys; all these so prodigious and terrible Revolutions, the Examiner has not only plainly discovered in the Scheme of that grand Conspirator the Bishop of *London*, in his *Codex*, but ripening and coming on apace to their fatal Crisis: Nay, all this lock'd up in this one point, Bishops having authority from, and acting by Commission derived from Christ; and in consequence of such Commission and Authority, claiming a Right to Jurisdiction in the Church, because they happen to be called in Scripture, *Rulers, Governours, Pastors, Teachers, Rejecters*, &c. Names that on other occasions import it; under whom their Fellow-Members of the Church are represented as a *Flock*, directed to *obey, honour, &c.* and in consequence of such Right of Jurisdiction, claiming from the civil Supreme a Right and Authority to exercise it under him, towards such Subjects of his Care as he shall appoint for their Province, by such Methods, as should be thought proper to give success to the divine Appointment, and confined to such Matter, as it appeared to have always exercised itself upon, and was of quality
 approved

approved as suitable to it, concerted between them. And this Examiner should make it appear either therefore just, that Bishops have no divine Authority or Commission from Christ, no Foundation in such Authority in Scripture, no Footsteps of the Exercise of such Jurisdiction in the earliest Ages of the Church, or great Interruptions of it thro' the following Centuries; no Acknowledgments or Confirmations of such Authority and Jurisdiction in our early ecclesiastical Records; no Mention of it in our Laws, or great Interruptions of it in all, at least some one Reign, thro' the Succession of all our Kings good or bad, or that it is a condemned and exploded Article of Religion, or a new or upstart one, trumped up by the Bishop, or any Bishops or Laymen since the Reformation. Had he done this, then indeed he might have open'd his Mouth with such virulent Outcries against the Bishops Claim of divine Authority, and consequent Jurisdiction on good or some Grounds; then he would have done his business, and answer'd his Design against the Clergy at once, and saved himself the tedious Trouble of writing, and others of reading so much impertinent Malignity, as he has stuff'd up his Book withal. And not doing that, he does nothing at all, for this one Point undoes his whole Book, and answers in its Consequences all the particular Rubbish of historical Facts, old or
new,

new, that he has raked together into a Bundle of frivolous Imputations, which he swaggers withal, as mighty Matters brought to light against the Clergy. And failing here, the Man is answer'd before he has well begun, and there is no Occasion to say more to him, unless to shew (as a learned Hand has done) how false in his Quotations, weak in his Reasonings, over-power'd by contrary Authorities he is, in Points and Facts, that were they all granted him, are answer'd, before they are produced. This he saw, and accordingly pushed at making those feeble and ridiculous Efforts, that have been mention'd : for had he thought them otherwise, and that they were convincing, he might have stopt there, and it afterward would have been impertinent in him to labour to determine the Bounds of an Authority and Jurisdiction, which he had already shown was not ; for his whole Book afterwards is built on the Acknowledgment of Episcopal Power and Jurisdiction, and to reduce it to its proper narrow Bounds.

Or *Secondly*, this not being done ; to justify himself from being a scandalous Boutefeu and Incendiary, and a detestable Calumniator. For to write such a Book as this with malicious Petulancy, to make the Body of the Clergy odious and contemptible, to gratify an infidel Prejudice, or non-conforming Disaffection, deserves Names even blacker than these : because

cause it is not only a private Wrong, but such a national one, as ill affects the Church and State throughout. For on the Influences of the Clergy's general Character depends, in great measure, the Piety, Virtue, and Salvation of the common Body of the People, and the civil Peace and Welfare of the Nation. To lessen the Nation's Love and Esteem of them, beyond Justice, Truth, or their Demerit, to possess Men's Minds with Notions of their being their Country's Enemies, forming Schemes of enslaving and tyrannizing over them, is enough to convulse both our religious and civil Establishment, and tends to introduce all manner of religious and irreligious Confusion. To justify himself, I say, from the Guilt of these dark Names and Crimes, he ought to produce Instances and Evidence from this *Codex* that he is examining, of a Scheme of Church-Power formed, and of Claims of Jurisdiction made in it, as are sufficient Grounds for his making the prodigious Outcry he does in it against the Clergy, and treating not only them, but the very Order of the Christian Ministry, so unsuitably to Candour and Decency; for his publicly alarming the Kingdom with Fury against them, from Dangers to their Rights and Liberties impending from them, as is of kin to crying Fire and Murder thro' the Streets and Parishes: My dear Countrymen all, take heed to your selves from your Parson, for tho' he has hardly Bread for his

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Family to eat, or a Cassock to his Back ; yet let me tell you, he will be Lord of the Parish, before you think of it ; for I have found out a Claim enter'd for him in the *Codex* : for there is a *sacerdotal Empire* a setting up, and and he is on the List to be a Limb of a Tyrant ; nay, to be an *Inquisitor*, you know not what it is, and 'tis well if he do. It is not enough for the Examiner to shew us Claims of Church-Power, and ecclesiastical Jurisdiction, made by the Bishop in his Scheme, which are neither founded on the Law of God, or the Law of his Country ; and that exceed the Bounds originally assign'd and adjudged to episcopal Jurisdiction to exercise itself within, or what our Kings, and the Laws since the Reformation have given up to them ; or that he has drawn under his Jurisdiction Matter that did not and ought not to belong to it ; that he has enlarged the Province of Episcopal Jurisdiction, and heighten'd ecclesiastical Discipline, and claims more Power than the Church ought to have : but that these Excesses, and Usurpations, are of that high and important nature, as are Withdrawings from the regal Supremacy, and placing the Exercise of their divine Commissions in themselves, independently on the civil Legislature ; and are Encroachments upon the Rights and Liberties of the Laity, in such a high degree, as may give them just Apprehensions of Dangers, that by insensible Increase may grow

from them; for that there is not any at present, I think, is pretty plain. Or were it otherwise, we live not in days when such Grievances would not be soon espied, and as soon redress'd. But instead of this, we have a great Cry made, and little Wool. Does the Author make it appear, that ecclesiastical Jurisdiction is either any way grown, or growing upon the civil? That the Bishops have broke in upon the State, beyond the Limits fixed by the Law and Constitution? Will he pretend that ecclesiastical Discipline is heighten'd and overgrown? the legal Establishment tells him quite otherwise, that it is deplorably decay'd :

(Commination.) Brethren, in the primitive Church there was a godly Discipline, that at the Beginning of Lent, such Persons as stood convicted of notorious Crimes, were put to open Penance, &c. Instead whereof, (until the said Discipline may be restored again, which is much to be wished, &c. The greatest part of the Author's Paper (if it were not to shew us what a fine Scholar he is, how great with our Saxon and other Kings) would be of very little moment, spent upon trifling Disputes and Cavils; and I really hardly know in many things, what he would be at, or have, he talks so in and out, and inconsistently: Only this I know, what I am sure he would not have, that is, not any Parsons. Only I find that he is in a Fume and Passion still, from

end to end ; and this Bishop, and his *Codex*, has put him so much out of humour with the Cloth, that he is dogged and surly whenever they come in his way, without one single good Word from him.

P. 23

Our Ancestors, says he, (p. 23.) *did not content themselves with barely abolishing the usurped Power of the Bishop of Rome ; but went to the Root of the Evil, and declared that all Jurisdiction, as well ecclesiastical as civil, is vested in, and exercised by Delegation from the Crown ;* and so he treats us with large Pieces of several Acts of Parliament. 26 *Hen.* 8. 37. 1 *Edw.* 6. 1 *Eliz.* establishing our Kings Supremacy. *Henry* the 8th's Time was too unsettled to make the Standard of Rights in Religion ; however, if that is the Root of the Evil, and will make him easy, that *all ecclesiastical Jurisdiction be exercised by Delegation from the Crown*, I believe all the Clergy of the Church of *England* will agree to the rooting of it up so far, and admit the regal Supremacy upon the foot those Acts put assent to it upon : If that would but cool his Heat against them as to that Article, *viz.* that the Right of exercising ecclesiastical Jurisdiction within the King's Dominions, is originally from the Crown, tho' not the Grant of the divine Authority it self, and the Right absolute to exercise it : for we see that done in fact by their Approbation, in Popish Priests, &c. whose

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Commissions from Christ, nor their Right to execute them, we do not dispute ; yet they have no Right to exercise their Jurisdictions here, Conviction of their doing which, is Death : And the same Right of Supremacy that forbids them, empowers us. And I am afraid that the Authority of this same Act, that he presses the Clergy with, with regard to ecclesiastical Supremacy, he himself will hardly stand to, with regard to civil ; to wit, that all *civil Jurisdiction also is vested in, and exercised by, Delegation from the Crown ;* and yet I cannot see how these Acts can, without great violence to them (p. 27.) be supposed to admit of any Construction, that vests civil Authority in the Crown, less absolutely, than they do ecclesiastical ; or that *the Legislature had any secret Reserves in favour of civil Jurisdiction*, more than ecclesiastical. And this puts an end also to all that the Author objects from *Exemptions, Prohibitions, &c.* which I am as willing to jump over, as to miss so many Miles of dirty Way ; with all that he says about Pope *Boniface, Court of Delegates, &c.* with this Prophecy, That no Clergyman will ever be Lord Chancellor again ; and yet is himself, and puts the Kingdom in such a Panick, that they are going to lord it over all the Kingdom in higher degree than Lord Chancellors much : which are of as much importance as the Ballad of *Robin Hood ;* and *his Readers will think,*

think, as he fears, that he is mispending both their Time (p. 58.) and his own; in all his delightful Tittle-Tattle, what his Lordship says, and how he nicks him at every turn, Back-stroke and Fore-stroke.

P. 62.

If the Bishop of *London* thought of proposing to the Legislature *the making the Convocation, or a Committee of Bishops ultimate Judges in ecclesiastical Causes*, as expedient, where is the harm of it? If the Parliament do not like it, cannot they let it alone to go as it is? His making so much sport with the lucky Word *Candidate*, shows he has an excellent knack at Pleasantry; and the Turn that he gives to the disuse of Convocations, making it a Compliment of the Government to the Clergy, is a Master-piece—

P. 63, 65,
66.

Nihil supra; and the Story about *Lesley* and the *Pretender*, tho' he will *not take upon him to say it has any Foundation*, but a terrible Assertion in the *Codex brought it fresh to his Mind*. And tho' the Story has *no Foundation*, yet it is however a good Story to let us know that there is such a close Connexion of Ideas between them, that he can never think of the Bishop of *London* and the *Codex*, but presently *Lesley* and the *Pretender* come in his Head. The terrible Assertion is, *that all work is most like to prosper in such Hands as understand it best; and that Churchmen are the most proper Assistants to the Prince in the Administration of Church Matters.*

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Would any one imagine what dreadful Designs the Examiner has found concealed in these seemingly innocent Words ! He opens the Discovery, *with the Ambition, Avarice, and unrelenting Cruelty of the Popish Clergy, their hunting down Princes like Beasts of Prey ; Monks spending the Wealth of Kingdoms in Riot and Luxury ; the Rogueries of the Inquisition, the Devastations of the Crusade, and the Terrours of a midnight Massacre, &c.* Then tells, *that when the words Religion and the Church of God are made use of to establish a Monopoly of Power in the Clergy* (and he might have said Laity too) *the Abuse of them is the same in Kind, tho' not in Degree and in its Consequences, as in the Instances I have mention'd.* Then tells us, *that if he understand his Lordship* (which is indeed a Question) *he is apprehensive that the Interests of Religion are not likely to be effectually promoted, until the Administration (under the King) of ecclesiastical Affairs, is entrusted with the Clergy ;* (a frightful Story to be told !) *and his Lordship before had enter'd his Claim in the Behalf of the Church, he says, to the whole judicial Administration of spiritual Affairs, and this under the King, too.* And here (by his saying that those that understand things best, best manage them) *he backs that Claim with another, with regard to the Prudential, (that is, the Rule holds not only in Religion, but*
other

P. 67.

other things) *and declares the Extent of both*; that is, in *all* Affairs it holds, from this so dangerous Rule of the Bishop's, *that the Management of Affairs ought to be committed to those who best understand them*. He concludes, that the Clergy would stand fair for the Administration of religious Matters; and for some also of civil; but *his Majesty's most honourable Privy-Council know better things* than to let it go there, and will rather let those who know little of Matters, be Managers, than that *the Interest and Concerns of Persons and Things commonly called spiritual*—*be hastily canton'd out to the Clergy*. And it is not easy to foresee all the Consequences of his Lordship's Scheme; or to take in the whole Extent of Power the spiritual Vicegerency would acquire by it: that is, by observing the Bishop's dangerous Rule, of entrusting the Management of Matters to the ablest Hands. From how many things then would the Laity be excluded, and the Clergy let in? Had the Bishop said so much as this Man here says, the Laity might justly resent such a Compliment put upon the Clergy at their expence; yet *forte opem populares*—*Men and (Infidel) Brethren help, away with such Fellows from the Earth*; who say, that Merit and Ability is the Rule to chuse Managers by, and so must sweep all themselves.

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The temporal Rights and Emoluments annexed to Bishopricks (particularly that of a Seat in the House of Lords) are so capable of being employ'd to the Welfare or Detriment of the Community (as every thing else is) that the Clergy of our reformed Church have not yet had the Hardiness to claim the Disposal of them in direct Terms. P. 68.

One would think the Author were hard put to it for Matter of Accusation of the Clergy, when their not being guilty of a Crime is made one, by the help of a *not yet* and in *direct Terms*; for by this same Rule you may charge Men with every thing that they have not yet done. O, but tho' they have not done it *avowedly*, yet 'tis included in the *general Claim* his Lordship makes;— which we have just mention'd:

That Merit should be the Rule of Choice to Office; his Lordship saying, *that all Work of what kind soever, is most like to prosper in such hands as understand it best, and have it most at heart.* P. 69.

That was before a dangerous Rule, that would let the Clergy into every thing; is now not so dangerous, and will shut the Clergy out of every thing: for now he shews us, that Laymen are fit to manage religious Matters, but Clergymen are not fit to manage either civil Matters or religious, and are now fit for nothing at all; and to establish this Paradox, he fills four Pages with History scandalously

dalously partial, and malicious, from the Reformation till the Long-Parliament; which if any body call malicious Trash, I will not quarrel with him about it.

P. 74.

After the Author here has let us understand, that he is a Justice of Peace or Recorder, and attends with great pleasure at Quarter-Sessions; he falls foul upon the Bishop for saying, that the Detection and Punishment of Vice is Parsons business. But there is so much Weakness, wrought up with so much Spite, and silly ways of Exaggeration to set the King against the Clergy, the Judges call'd *the Church's Hangmen*, &c. that his Friends must blush to see Rancour against Parsons so overpower his Discretion.

P. 80.

I do not see why his Lordship having an Opinion of Canonical Purgation different from his, should be so great a crime; and if his Lordship thought well of it, why he may not as rightly wish its Restoration, as the Examiner be glad 'tis abolish'd. If it was an absurd and unjust way of proceeding, yet where was the Ecclesiastical Tyranny of it? since it lay harder upon the Clergy than the Laity; the more eminent the Person, the more Compurgators were requir'd, and Bishops were to bring Bishops, and Clergymen their Peers, upon Forfeiture of their Benefices: and the Penalty therefore upon them was both greater, and the Difficulty of mustering up proper Compurgators also for themselves,

selves, and the Grievance on the side where he declaims so powerfully of the Tyranny's lying, was the heaviest. (*Vid. the Canon.*)

I take leave again here both of his Lordship and his Examiner. The Extent of his Majesty's Prerogative in pardoning, and how far, or whether Persons convicted and pardon'd in the Civil Court, may be punish'd or prosecuted in the Ecclesiastical, are deep Points of Law, I have nothing to say to; only I think that a Clergyman civilly criminal, by Robbery, House-breaking, Perjury, Murder, Maiming, &c. tho' pardon'd by the King, yet cannot be acquitted in the Ecclesiastical Court, with regard to the Bishop; unless the King's Pardon, together with Remission of Guilt, includes in it also a Restoration of Character, which no Pardon can reach, nor Acts of Parliaments themselves set right. For instance, these civil Crimes are committed and pardon'd before a Man, that is otherwise legally qualify'd, by Age, Learning, and Degree, goes into Orders; can the King's Pardon set him right to the Bishop, as to *good Report, godly Conversation, &c.* to be testify'd by the *Archdeacon, assented to by the People, testify'd by other Clergymen, and Neighbours*, for three Years past? And however far the King's Pardon may go in acquitting other *Church Criminals*, yet I think as to criminal Churchmen themselves, whether punish'd or pardon'd for scandalous

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Crimes,

Crimes, the Laws are not intended, to oblige a Bishop to give Orders to, or continue in the Church, such whom the Word of God makes it his Duty not to admit, and the Laws of the Land also oblige him to shut, and *drive out*. For thus the Law would impose Contradictions on the Bishop to itself, and to what the Scripture enjoins him, whatever *Rolls* or *Hobart* may say. (See *Canon* 34.)

P. 95.

The common Lawyers, for whom his Lordship seems to have no great regard—How does that appear? But the Examiner catches at all Occasions, not only to set the Nation in general upon the Clergy's backs, but every Order particularly. Or what signifies it by what Authority the Canons before the Reformation obliged; whether by their own Authority, Sufferance, Custom, &c. We know by what Authority they bind now, whether they are old ones continued, or new ones made by virtue of the Ecclesiastical Supremacy consistently with the Law. Only Practice we know and Custom is Law amongst us, unless positively over-ruled by the Legislature; and he makes a great deal of stir here with his Lordship about nothing.

P. 100

The Examiner lays before us here a large Passage out of the *Codex*; upon which he says, *Surely a Doctrine of more Importance, and which more justly merits a proper Animadversion,*

madversion, has not been advanced of late Years.

The Quotation is so long, that I think it not worth my pains to transcribe ; but refer the Reader to it, and then he may be surest that I do him no wrong by Mis-quotation.

There is nothing that with me so much destroys all good opinion of this Author, and this Performance of his, as it must do that of all fair and impartial Men ; as the critical Malevolence with which he treats whatever the Bishop says. If any doubtful Expressions are capable of bearing a bad Meaning, he is sure to give them that Meaning, and as sure that the Bishop design'd it, to advance the Power of the Clergy, in wrong to the Civil Government ; and treats it accordingly as an undoubted part of a Plot found out against the Liberties of the People, pursues it with a train of Consequences, till it ends (as every thing the Bishop says does, if any are so weak as to mind him) in *Sacerdotal Tyranny*. So that there are twenty Lines drawn from the Bishop's Quotations, for any thing that I know, that by different Routs run all home to this single Point : so that the *Codex* is as a Circle, from each part of whose Circumference Lines run, pointing all to the Center of Ecclesiastical Tyranny and Civil Slavery, where they all meet. So that there is hardly that Action a Clergyman can do, or a Word so remote from Design, that he can speak,
but

but by the same charitable Logick that this Man uses, may be guided to this Center, where all must end. And he need not have stood picking and choos'ing, but took the *Codex*, as it run on from the beginning, and one piece would have serv'd his purpose almost as well as another: He perverts, he makes Mountains of Mole-hills, swells common Expressions into Matter of deep and dangerous Importance. Does the Bishop mistake? he is sure it was on purpose. (p. 93.) He discovers Mines, catches the Bishop laying Trains, sees him at work deep under-ground, undermining the Laity; he shews the Clergy in all bad Lights he can; thus acting, but stupidly, the Craftsman; the Bishop of *London* is his Sir R—rr, and the Ministry his Ministry. He does but do every unfair thing that he can think of, shews, as far as he can do it, the Clergy like a primitive Persecutor in Bear-skins, to set the Dogs, and halloo on the Mob at them. The Justice of almost all these Characters appears in his treatment of the Bishop in this one Passage that I am come to; before which, he makes solemn Proclamation of *Doctrine of great Importance*, that we are to expect that nothing that has been advanced of late *Years* (*comes up to*) or merits *Animadversion* more; and now then let us hear this terrible piece of News. *It is*, says he, *no more nor less than this*, (p. 104.) for I take his own Account,

count, who *tho' he would not do his Lordship any Injustice* for the World, yet would not be partial in his favour, we may be sure.

That the Parliament in framing Laws concerning Religion, and for the Punishment of Vice, ought to take their Measures from the Clergy. (The Reader had best see whether the Bishop says any thing of the Parliament's taking measures from the Clergy; I cannot find it;) *and to conduct it self by their Sentiments,* (I cannot find that neither :) *and that temporal Penalties in these Cases are proper, only when provided to be called in, as often as spiritual Censures prove ineffectual.*

His Lordship is charged with saying, *that the Correction of Vice belongs to the Clergy*; one would not think that this was such a dangerous Assertion; If any thing belongs to the Clergy, this does, and always has done, and by the Laws of their Country is assigned to them accordingly: Yet this *unmanly Pleasure of Correction* (p. 81.) he will not allow to belong to them, but claims it as a *Pleasure* proper to the civil Government only.

Who does not see that his Lordship does not mean this Correction of Vice exclusively? so as because the Clergy had a Right to do this, the civil Power must have none; but only that Vice is the proper Matter of their spiritual Jurisdiction, and is accordingly acknowledged and assigned to them as such by the Supreme. Not that putting it into the Bishops

shops hands under him to correct it in his way, took it out of his own to correct it his own way. There is Work enough for them both, and it is well if both do, lending each other, when there is occasion, their mutual Assistance.

O but the Bishop says, *all manner of Vice*. Who does not see, that this intends all those kinds that the Supreme has assign'd to them ! yet how silly does Malice make Men ! This he would have by the Bishop to be design'd to include *Offences of every Kind, in every Degree, from Petty Larceny to High Treason ;—and thinks he does the Bishop no wrong, in supposing, he wishes to see the Church intitled to the Cognizance of them.* (p. 88.)

The additional Strength of the Common and Statute *Law, which ecclesiastical Authority is entitled to,* (p. 100.) is an odd Sound—and the Examiner *was so scandalized at it, that he was tempted to question the Accuracy of it, as a false Print, or an Oversight ;* as thinking it hardly possible that any Man would say so : yet no body but this Conjuror would have found out any Harm in it.

Calling in the aid of the civil Power, as oft as the Censures of the Church prove defective or are disobeyed, (p. 104.) is such a glaring and barefaced Imminution of the civil Power in his Lordship's Scheme, as occasions

easions great Outcry. What! the Clergy pretend to implore the King's Assistance; what! the Bishops beg the Parliament to help them: O the Impudence of these Parsons!

But to the grand Article of Accusation, *That the Parliament in framing Laws concerning Religion, and for the punishment of Vice* (such Vice as before mentioned, such as by the Supreme's Assignment, and their own Pre-appointment, is the proper Matter of ecclesiastical Jurisdiction) *ought to take its Measures from the Clergy, to conduct it self by their Sentiments.* We must consider that the Author has not given us the Bishop's Sense, as he calls it here, in his own Words, as the Reader may find; but in the ruggedest Words that he could pick out, to provoke and give offence to the Parliament.

And now mind what terrible Consequences he draws upon the Bishop from hence; it will follow, *that the Ends of Religion are likely to be answer'd, and the Interest of the Church most effectually promoted by Laws made by the Advice and Concurrence of the Clergy.* And most People, I believe, are of that Mind, that this is *likely enough, but by such Laws only*, unless we take in *likely* to it, 'tis more than any Man can say, since that is as it pleases God it may prove.

2. *It will follow likewise, that Acts of Parliament concerning spiritual Persons and spiritual Things may be compared to quack Medicines,*

dicines, which promise great Matters, but rather destroy than preserve the Constitution. The Sting of this Comparison lies in the word *Quack*, which happens not to be the Bishop's Word, but the Examiner's; for the Bishop's is, *Medicines prepared and administred by skilful Hands.*

3. *It will follow, that Queen Elizabeth was not mistaken* (which is a great Reflexion upon that wise Princess) *when she thought the Clergy the best Judges in Religion.* It should be so indeed, but it often happens otherwise, and Laymen outshine Clergymen in Divinity. But I believe the Examiner and I had better let the Decision of that Point alone, as also that of the *Sufficiency and Integrity, and superior Knowledge of the Clergy*, to the Laity; which each ought to think the others to have, and instead of envying, to wish them joy of: Those who pretend to it most, in the way of Rivalship and Competition, stand likeliest not to have it; and they that give it from themselves to others, stand fairest for it.

•P 109.

The loading the Clergy only with all the cruel Usage the *Wickliffites* and *Lollards* had, is by no means fair; give the Devil his due: If the Clergy petition'd, the Parliament heard and acted; the King, People, and Army against the *Lollards*, executed with equal Zeal. But what if the Clergy were only to blame; what is the sanguinary Temper and Actions of the then *Roman Priests* to us? unless

less as Christ's Minister, every Clergyman is by being so to be deem'd a Villain. Yet this is the Author's Reasoning frequently, if he can pick out any thing in Story that Priests have had a hand in, the present Generation, and the whole Order to the World's end are to have it charged upon them personally.

The Temporality in Parliament surely did not shake off one Set of spiritual Pedagogues, only to subject themselves and their Posterity to the Discipline of another. P. 110.

This is decent, and shows a Spirit in this Gentleman.

I do not find him inclined to resolve all spiritual Power into the royal Supremacy, for there is another Legislature his Lordship has an eye to, namely the Convocation. P. 112.

Since the Convocation is, as he observes, and acts under those Controuls and Limitations he mentions, cannot make Canons or Constitutions with Effect without the royal Authority, and then within the Bounds of the Laws of the Land, and this acknowledged; whence all these Fears and Outcries? and why must not this Legislature *be placed in the same Point of View?* Is the King seen as a religious Head of the Clergy, and of his Subjects as Christians, so much a meaner Sight thro' that Avenue, than seen at the Head of his Subjects thro' an Avenue of those his same Subjects and Clergy, consider'd in a civil and social way, not as Christians, and

himself as a Heathen Monarch? And why must his Lordship's calling the King and Parliament a temporal Legislature, in contradiction to his spiritual Supremacy, be, by way of *Diminution*? In all our Acts of Parliament and royal Proclamations, does not Spiritual stand first? *Lords Spiritual and Temporal*, in all Causes and over all Persons *ecclesiastical and civil*. I hope he will give the Parliament leave to adjust the Ceremonial for themselves, and place themselves in proper Station.

P. 117.

Admitting the Bishop's Judgment to be, as he says, *viz. That the Defects in our ecclesiastical Constitution were amendable by his spiritual Legislature*, the Convocation; yet I do not see but this is the legal Judgment of the Nation, and of the civil Legislature themselves: for is not the King included in the Convocation as its Head? under whom the Convocation act in subordination, as Proposers of Amendments only, and without whose Assent, their Resolves have no legal Authority? And is not the King, by the Parliament itself, declared to be the Foundation of ecclesiastical Jurisdiction? And Acts of Convocation assented to by him, declared by the Law of the Land, to be the Law of the Land, so far as they do not interfere with the Laws of the Land. And this therefore is not only a *Candidate for a Place in our ecclesiastical Constitution*, but has a Place in it, and the civil

civil Constitution too, fundamentally settled at the Reformation by the civil Powers.

Tho' his Lordship, the Examiner acknowledges, pays all proper *Deference* to the Wisdom of *Superiors*, yet because the Parliament is not express'd by Name, they are not to be meant by it, but the Convocation only, who he had just before shown, and were acknowledged to have no Power but under the Supreme, and restrain'd by the civil Legislature. But now the Parliament are to be coax'd: *The good People of England have always made the Parliament their Refuge in Cases which have needed Reformation;—yet he does not once turn his Eyes towards the Parliament: The Judgments of Westminster-Hall are frequently arraigned, and even the Wisdom and Propriety of Parliamentary Provisions in ecclesiastical Affairs are sometimes called in question.—I wish the Deference and Submission expressed in it had been paid, where I think it is solely due; to the Parliament, I mean.—The Improvement of our ecclesiastical Constitution—if ever it be effected, must be effected by the Parliament alone, &c.* And the Parliament must see this is very fulsome. And every body else sees that this Court is thus made to them on Hopes and Foundation not very agreeable to their personal Reputations; in hopes, in short, that the Majority of them may be found fashionable Heathens, or some way make Improvements

provements (that is, by Change or Demolition) of our ecclesiastical Constitution; in which, if they disappoint him, by proving true Churchmen, you will find your Examiner talking of Parliaments in another Strain, and their Acts will be then all *Codexes*.

P. 120.

And indeed I do not see that the spiritual Legislature in contradistinction to the temporal, and as consisting of spiritual Persons with an absolute Exclusion of the Laity, can boast of any better Original than the Usurpations of the Church of Rome, in the very corruptest Ages of the Church.

Because he cannot see, he will allow nobody else to see: Who is falling upon Parliaments now? Who does not know that the Distinction is as old at least as *Constantine's* Time, which was before the very corruptest Times of that Church? Here he is turning Divine again, and without regard to Kings, Parliaments, Constitution, Divines, &c. is quoting his three trusty Friends, Father *Paul*, &c. against them all. From this Page to p. 148, I hope his learned Chronology of ecclesiastical Authority may answer his end, in showing us what a well-read Man he is; but I do not see 'tis of any consequence to our present established Constitution, or to prove the Bishop of *London* has broke in upon it, or designs it, which is his Business to show: And a learned Person has already, I believe, convinced him that he had better have let alone
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contending by historical Facts, and Ecclesiastical Authorities, ancient or modern.

Only let me observe, that his Lordship's Notion of *two distinct Legislatures, Ecclesiastical and Civil, is just*, and prevail'd both in this Nation always, and under the *Roman* Christian Emperors; and tho' there is but one Legislator, yet there is, and always was, two distinct Legislatures, exercised under them upon different Matter, and that flowed down from them to their Subjects by different Direction. And *recommending to the Wisdom, &c. of Convocation*, is recommending to the Wisdom of the King, whom thro' the Convocation he reflects on, and whose Supremacy he impugns. And instead of the Bishop's derogating from the King's Prerogative, and advancing what is repugnant to the Laws of the Land (*p. 153.*) 'tis himself that here does it. For to deny a spiritual *Legislature*, is to deny a spiritual Legislator; and to deny a *spiritual Legislator*, is to deny the King's Supremacy; and to deny the King's Supremacy, is to deny the civil Supremacy, that establishes that Supremacy.

It is a Maxim in all free Governments P. 148.
 —*That the Subject is bound by no Laws, to which he is not a Party by Person or by Representation.*

This Maxim is certainly good and just, and this Maxim, he says, *the Gentlemen of England* (whose Mouth and Representative he takes

takes upon himself to be ; but he should have told us what Gentlemen these are, where and when they gave him Commission to tell the Clergy from them, what he here does) *tell the Clergy they will never part with their temporal Rights*, (which the Clergy are very well satisfied of, and are far from desiring they should in the least;) *and think this Maxim has been with great propriety apply'd to the Case of synodical Ordinances, made without their Concurrence.*

The Substance of this strange Message from these invisible Gentlemen, by this invisible Messenger to the Clergy, is, 1st, *That Acts of Convocation or Canons, bind only their Makers that are present, or the Clergy, but do not bind Laymen.*

2^{dly}, *That the reason why they do not bind the Laity, is, because they have not their Concurrence.*

To this I shall only oppose these two Canons, *ratified, confirmed, and established* by the Supreme.

CANONS ECCLESIASTICAL.

Authority of Synods.

Can. 139. intitled, *A national Synod the Church Representative.*

Whosoever shall hereafter affirm, that the sacred Synod of this Nation, in the Name of Christ, and by the King's Authority assembled, is not the true Church of England

England by Representation, let him be excommunicated, and not restor'd, until he repent, and publickly revoke that his wicked Error.

140.

Canons conclude as well the absent as the present.

Whosoever shall affirm, that no manner of Person, either of the Clergy or Laity, not being themselves particularly assembled in the said sacred Synod, are to be subject to the Decrees thereof, in Causes Ecclesiastical, (made and ratified by the King's Majesty's supreme Authority) as not having given their Voice unto them; let him be excommunicated, and not restored, until he repent, and publickly revoke that his wicked Error.

So that this invisible Speaker, with his invisible Gentlemen, are turn'd off by the Bishop to dispute what he says with the supreme Power, who has given sentence against them, that what they say of the Canons not obliging them, is an *Error*, and a *wicked* one too.

The Canons bind to Submission, even tho' they are erroneous, not only all the Members of the Church of *England*, but all Dissenters from it, and the whole Community, as much as an Act of Parliament does; because they stand upon the same Authority, and are Acts of Parliament; Acts of Parlia-

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ment which equally bind the Subject, and subject them to Penalties, whether they like them or dislike them, are good or bad, and the Subjects equally assent to them. Acts of Parliament, they vest the King with Ecclesiastical Supremacy and Jurisdiction; the King so vested, he makes Ecclesiastical Laws; which Laws therefore are as much by Parliamentary Authority, as the Acts, that declared the King's Supremacy, and are equally legislative, and are Laws of the Kingdom by the Law of the Kingdom, if they are not contrary to the King's Prerogative, or the Law of the Kingdom; *juxta vim, formam, & effectum cujusdam Acti Parliamenti.* (Letter of Ed. VI.) 25 Hen. VIII. 3 Ed. VI. 1 Eliz. And these so loud Clamourers at the Clergy, as Invaders of the King's Supremacy, if they dare shew their faces, are themselves the grand Impugners and Violators of it, and of the Laws of their Country.

And when this Author observes, *That the Body spiritual are laid under greater Restraints, than any petty Corporation or trading Company* (p. 146.) 'tis strange he should think them so very powerful. But the more restrain'd and disabled they are shown, hinders him not from representing them ever the less dangerously over-powerful, we find; and *that the Clergy once more may hope to be the Masters of the Kingdom,* (p. 152.) And in a promising way they are to it at present truly,

truly, thro' Convocations especially; and if this Man, and his Gentlemen, had their wills, the Clergy wou'd not live long to be *Masters* or Servants either in it. I pity this poor Wretch's impotent Malice, in tiring us with the stupid Repetition of *Candidates, Candidates, the spiritual Legislature, &c.* and what he has once got hold of, like an old Woman scolding with her Neighbour, that has never done with a Word or two that she thinks to be a taunt, and nettles and exposes.

Is a clamour made against the Bishop by the P. 155.
Examiner, about Marriages and Tithes, 156.
which right or wrong the Bishop is not to answer for it: Why does he not put the saddle upon the right Horse? charge the Royal Supremacy, Parliaments, and Nation, for making and liking such bad Canons, if they were or are so?

He has found out an Inclination in his P. 163.
Lordship to be taxing the Gentlemen of Eng-
land. But he makes his Lordship a very bad Judge of Seasons, to think of putting on more Taxes on the Gentlemen, 'till these they pay now are abated. And again, refreshes the memory of the *Parliament* and *Gentlemen of Westminster-Hall*, (p. 164.) of the Danger they are in, from this terrible Bishop; who, I believe, are pretty easy, and will sleep never the worse for it, I hope.

These Principles admitted in their utmost P. 168.
Latitude, and in their necessary Consequences,
would,

would, I fear, soon introduce that wretched State of things, which Father Paul thought he saw coming on, when the wholesome Discipline of Canonical Purgation, and the Oath ex Officio were esteem'd Parts of our Ecclesiastical Constitution.

I think it not much matter what Father *Paul* so long ago, and so far off as *Venice*, did not see, but only *thought* he saw, coming on here in *England*; but a great many thousand Fathers now on the spot, plainly see the *wretched State of things*, that this Author is doing all that he can to introduce, by confounding ours and all Ecclesiastical Constitutions. And had he minded *St. Paul*, as much as he does his Father *Paul*, he would have taught him better manners to the Ministry, and better Principles; that would have saved him the trouble of writing this Book, and the discredit of it. Instead of Father *Paul's* Prophecies, had he minded what the Fathers of the Church, called so on better title, or all or any Fathers in God, present or elsewhere, at any time in his Country or the Christian Church, he would not, by disgracing his Country, have helped to distract it by such an Unchristian Publication, weak as it is wicked and malicious, which is not a little.

F I N I S.